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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

YOSSI ENGEL,

Defendant.

2:23-cr-00213-MEMF-1

DEFENDANT YOSSI ENGEL'S  
SENTENCING MEMORANDUM

Defendant Yossi Engel, through his counsel of record, Jan L. Handzlik, hereby respectfully submits his sentencing memorandum. In addition to the records of this case, it draws upon the letters from family and friends, including members of the faith community, provided to the Court today, the report of forensic psychologist Richard I. Romanoff, and the Presentence Investigation Report, which discusses Defendant's offenses and his descent into irrational and harmful behavior during the time of these offenses.

Taken together, these materials present a picture of a once respected, honorable and steadfast member of the community, a person devoted to his family, faith and to helping others and behaving in an upright and appropriate manner, who became addicted to alcohol, gambling and reckless, profligate spending. Yossi sought to burnish his reputation and enhance his

DEFENDANT YOSSI ENGEL'S SENTENCING MEMORANDUM

1 standing in the community, by spending lavishly and contributing to religious organizations and  
2 other charitable causes.

3 Yossi's outsized generosity, funded by a scheme to take money from others through  
4 fraudulent representations, gained him recognition and some of the status he desired for a time.  
5 But his scheme was bound to fail and be exposed. When it did, he was humiliated and disgraced  
6 in the eyes of his community and loved ones. The illusion of wealth and success created by  
7 Defendant, transparent from the start, evaporated, as was to be expected.

8 When his folly was exposed in late 2020, Defendant did not abscond or seek to avoid his  
9 creditors. Instead, he met with them along with faith leaders from their community, admitted his  
10 wrongdoing and sought to explain what had happened. Over several months in early 2021,  
11 Defendant, while expressing deep remorse for his actions, sought to demonstrate that the money  
12 he had obtained illicitly was gone. Defendant provided voluminous bank records and other  
13 financial materials to the victims and their representatives, enabling them to see where the  
14 money had gone. Finally, because of Defendant's expressions of remorse and acts of contrition,  
15 coupled with his detailed presentation of financial information, the victims came to realize that  
16 he was hiding nothing.

### 17 **I. Yossi's Traumatic Childhood**

18 Yossi was born on August 16, 1987, to Dov and Ayala Engel in Monsey, New York, and  
19 is the youngest of six children. Like many Ashkenazim Jews, all his grandparents were  
20 Holocaust survivors. He was a kindhearted boy, caring about those around him. Sarah Klein, his  
21 older sister, describes Yossi's compassion toward others:

22 *I have experienced Yossi's kindness and sensitivity from as far back as I can remember. He*  
23 *connected deeply to another's pain. I remember how he would pray, as a seven-year-old, for my*  
24 *husband, Martin and myself when we struggled with infertility. He acutely felt our longing for a*  
25 *child and did the only thing a young boy can do to help, he cried and prayed. When we told him*  
26 *the news of the pregnancy in our second trimester, he reacted with tremendous joy. Upon some*  
27 *quick calculations he realized this was not new news and then painfully cried out, "Why didn't*

28 DEFENDANT YOSSEI ENGEL'S SENTENCING MEMORANDUM

1 *you tell me when it happened? I have been crying and praying every single day!” The*  
 2 *excitement he displayed when our daughter was born made it apparent how much he was a*  
 3 *part of our journey. As we had more children, he showered them all with attention, love and*  
 4 *kindness as he played with them. He would jump around with them, sing to them, and read to*  
 5 *them with the utmost of care and patience.*

6 Yossi’s life changed drastically in 1997. His father had committed bank fraud and then  
 7 moved the family to Israel to avoid facing the music. As a 10-year-old child, Yossi found  
 8 himself suddenly leaving his home in New York and having to start over in a new country. The  
 9 family first moved to Bnei Brak but left there after a couple of months. The Engels then  
 10 relocated to Jerusalem. Yossi was unable to settle down because, soon after, his father lost a  
 11 civil case against his creditors, causing the marshals to come to their home and seize their  
 12 property. On August 11, 1999, Yossi’s father was arrested. Ayala, Yossi’s mother, was unable  
 13 to deal with the situation and fell into a depression. Having no husband at home, she turned to  
 14 Yossi, who was only 12 years old at the time, for emotional support.

15 Eli Engel, Yossi’s older brother, describes what home life was like for Yossi during that  
 16 period:

17  
 18 *As children, we had a very difficult time growing up. Born in the U.S.A, we were suddenly*  
 19 *uprooted and resettled in a new country, enduring all the trauma involved in such a dramatic*  
 20 *change. As if that were not enough, my father was sent to prison for several years, leaving us*  
 21 *without the security and guidance every child needs. During these formative years, Yossi found*  
 22 *himself home, without a father at his side to give him guidance and love, and with a mother who*  
 23 *could not cope with all of [sic] upheaval and was battling her own emotional challenges. It was*  
 24 *easier for me. I was a couple of years older and living in a dormitory, coming home only on*  
 25 *weekends. I got to escape the pain and could pretend that my life was normal. I didn’t see my*  
 26 *father, but neither did my classmates see theirs. I could put my mother’s depression in a box*  
 27 *marked “Not Thinking About That Now.”*

1  
2 *Yossi lived with the pain every day. Dad was in prison. Mom was an emotional wreck. Yossi had*  
3 *to play mom to his own mother. This was Yossi's childhood—one of insecurity and fears, of*  
4 *worries and tears. Dealing with our mother's pain was extremely difficult for Yossi, so he often*  
5 *avoided being home so that he would not have to be there when mom was falling apart.*

6 In addition to having to serve as his mother's shoulder to cry on, Yossi had to deal with his  
7 mother's emotional abuse. Yossi's sister, Malky Lev, relates:

8  
9 *Mom was inconsolable, and little Yossi felt that he had to try to comfort her all the time. She*  
10 *cried for months. We all tried to help, but at the end of the day, we went to our homes. Yossi, who*  
11 *was still young, stayed home alone with our hysterical mother. Mom had lots of anxiety, pain*  
12 *and anger that Yossi was constantly exposed to. He had to deal with so much misplaced guilt.*  
13 *Once while I was with Mom and Yossi visiting, Yossi went to shower. He didn't shower for more*  
14 *than a few minutes, but when he got out, she was so angry with him. She started to scream and*  
15 *cry that because of him taking this "long shower" she won't be able to pay the water bill. All this*  
16 *instability caused him not to do well in school and he was sent around from school to school,*  
17 *which made her angry at him as well. All this time, he just tried to make her happy, to console*  
18 *her, to get her to smile. He himself never got the help he needed, since he always had to play*  
19 *super strong little boy for everyone else.*

20 Dr. Richard Romanoff, a psychologist who examined Yossi, describes the immediate  
21 effect that Dov Engel's incarceration had on Yossi:

22  
23 *Mr. Engel chronicled a sequence of frequently changing residential schools [still of an Orthodox*  
24 *Jewish nature], in different parts of the country, as rabbis consulted by his family, who were*  
25 *aware of the overall family situation, tried to break through Mr. Engel's growing disengagement*  
26 *from meaningful involvement in his studies. He also went on to describe how during this time he*  
27 *began developing a kind of secret life, that he did his best to keep hidden from his family. By the*

1 *time of his high school years this included smoking cigarettes, even on Shabbat [a major*  
 2 *violation of the religious laws governing the observance of this day], growing use of the Internet*  
 3 *to view pornography, and some beginning sexual activity. He described how some caring rabbis*  
 4 *became aware of these growing difficulties, and tried to speak to him about them, in an effort to*  
 5 *help him do better, as he simultaneously remained on the same path, with no motivation to*  
 6 *extricate himself from what he already understood was a pattern of increasingly unhealthy*  
 7 *behavior.*

8 *Importantly, he also described how throughout this time he also continued to participate in some*  
 9 *aspects of religious Jewish study - in an on and off fashion - and also began to develop*  
 10 *relationships with other struggling students, in an effort to be helpful to them, and to provide*  
 11 *them with assistance to keep them from falling further into trouble.*

12 *Finally, asked to leave one of his schools as a consequence of his failure to abide by the rules of*  
 13 *that school he returned to Bnei Brak, where his mother was still living.*

14 At this point, Yossi was already exhibiting an unhealthy relationship with  
 15 money. Pursuing business opportunities, he borrowed a total of approximately \$50,000 from  
 16 friends. He eventually lost all that money and turned to his parents to bail him out.

## 17 **II. Yossi's Wedding and Life in Israel**

18 Yossi met Gitty Leichter through a mutual friend. They married in Israel on October 19,  
 19 2009, and lived there for the next two years. Soon after their wedding, he opened a business  
 20 called Gifty, a company similar to Groupon, with money that he had borrowed from Gitty's  
 21 parents. Unfortunately, the income generated by the business was not growing quickly enough  
 22 to match the \$250,000 that he had borrowed to open it, forcing him to close the business.

## 23 **III. Move to Los Angeles**

24 Drowning in debt and hoping to find an investor to save Gifty, Yossi and Gitty moved  
 25 with their one-year-old daughter, Michal, to Los Angeles, where they moved in with Gitty's  
 26 parents while they figured things out. Having lost his business and having no job, Yossi was  
 27 depressed. Never having learned from his own parents how to cope with difficulties, he spent a

1 lot of time sleeping. When he was awake, he engaged in self-defeating behaviors, putting his  
2 marriage at risk. Dr. Romanoff describes Yossi's actions at that time:

3  
4 *Mr. Engel recalled how shortly after this business failed, "Our marriage fell apart for the first*  
5 *time," noting this was the first time since marrying that, "I had an affair." He recalled how his*  
6 *wife discovered this activity after finding text messages on his cell phone, adding that he did*  
7 *nothing to hide these messages or to keep from "getting caught." He recalled that both went to*  
8 *speak with their rabbi who, "worked hard to help us work things out." He also described how at*  
9 *the time, "The love in our marriage increased, but the affection and the passion became*  
10 *separate." He also recalled how during that time, "I spent months in bed, I owed people money,*  
11 *and I was very down, and I was sleeping for hours." Specifically asked, he said he believes he*  
12 *was overtly depressed, reporting that he briefly went to meet with a psychiatrist, but failed to*  
13 *continue meeting with this psychiatrist after the first few sessions.*

14 Yossi's life took an upward turn in 2012 when he attended Congregation Shaarei Torah  
15 and became close with the president of the synagogue. Home to a very accepting community,  
16 the synagogue became the place where Yossi found himself. He got involved in many aspects of  
17 running the synagogue: the construction project, reading the Torah on the Sabbath, arranging the  
18 seating for the High Holidays, and so on. Tzvi Fleischmann, one of the synagogue's officers,  
19 describes Yossi's involvement:

20 *He was/is also proficient at reading from the Torah scroll (which requires diligent practice as*  
21 *the letters are written without vowels and the cantillation is not present in the actual scroll). As*  
22 *such, I asked him if he was prepared to volunteer to read the Torah for the sunrise prayers,*  
23 *which he readily accepted. He ultimately took upon himself arranging the light meal that was*  
24 *often served at the end of Shabbos services and supervised the custodial aspects of the*  
25 *synagogue. He never asked for any remuneration and enjoyed being generous as well with his*  
26 *time.*

1 With this support, Yossi got back on his feet. He began working for the president of the  
2 synagogue and giving classes there.

#### 3 **IV. Yossi's Kindness**

4 Yossi helped many people in many ways. He offered advice, helped people arrange what  
5 they needed to help them through trying times, and served as a shoulder to cry on. Malky Lev,  
6 Yossi's sister, describes how Yossi helped her family:

7  
8 *Five years ago, doctors found a tumor in my husband. I was devastated. My husband didn't want*  
9 *anyone to know, so I kept it a secret until I met Yossi. When he looked me in the eye and asked*  
10 *me how I was, I saw that he really cared. I broke down and told him about my husband's tumor.*  
11 *For a split second, I saw the pain and terror in Yossi's eyes, but then he quickly started to*  
12 *comfort me and blessed us with all his heart that everything would be OK. He offered to fly to*  
13 *Israel and sit with my husband during chemo should he need it. A few hours later he called me to*  
14 *tell me that he spoke to his Rabbi and got a blessing for my husband that all will be OK, while*  
15 *still honoring our secret and not sharing our story with anyone else. Thank G-d my husband did*  
16 *recover and is healthy.*

17 Yossi's kindness extended to others beyond his family as well. Yehuda Engel, Yossi's  
18 older brother, relates:

19 *I often saw him stop his car for people he didn't even know and offer them rides. On numerous*  
20 *occasions, he drove a long time especially to take elderly people home even though they didn't*  
21 *live in his area. I also saw him dozens of times rushing to help elderly people he saw caring*  
22 *bags and helped them get home.*

23  
24 When necessary, Yossi would provide extensive assistance to those who needed it,  
25 dedicating many hours to ensuring that they had what they needed. Shaya Engel, another one of  
26 Yossi's brothers, provides one example of such an instance:



1 *In April of 2022, my rabbi, who was suffering from final stage renal failure, went to Israel to see*  
 2 *a doctor who had a possible miracle cure. Unfortunately, that was his final trip, as he passed*  
 3 *away a few weeks later in Israel. When I was told of his plans to travel to Israel, I immediately*  
 4 *called Yossi and asked him to please look out for him and help in any way he can. I could never*  
 5 *have imagined how much he would have helped. From the moment my rabbi landed in Israel,*  
 6 *until his untimely death, Yossi was a G-dsend. He helped him get around to all of his doctors’*  
 7 *appointments, translated the medical information for him, and held his hand throughout the*  
 8 *process. Due to his strict diet, Yossi and his wife Gitty cooked meals for him and made sure he*  
 9 *had whatever he needed. This is the Yossi that I know.*

10 In particular, Yossi would help youth whom others may have given up on. Many young  
 11 men who were addicted to drugs found a friend in Yossi. Wanting them to succeed in life, he  
 12 would offer them jobs and emotional support. Rabbi Shmuel Zev Dicker, the Dean of Yeshiva  
 13 Mercaz Hatorah of Belle Harbor, describes how Yossi helped one such young man:

14  
 15 *About 10 years ago I had a very close student who developed a drug addiction. It got so bad that*  
 16 *he became dysfunctional. He couldn’t keep a job. The relationship with his family was*  
 17 *deteriorating. It was going from bad to worse. He was a mess. He tried a few rehab programs*  
 18 *which also didn’t work. Until he went to a rehab location in LA.*

19 *In LA he met up with Yossi Engel. Yossi Engel saved his life. Yossi befriended him and gave him*  
 20 *the encouragement and support that he needed. Yossi invited him to his home for the weekends*  
 21 *and he ate the Shabbat meals Friday night and Shabbat days with Yossi’s family. Yossi was so*  
 22 *nice to him, and he became very comfortable in his home. This gave him a “home away from*  
 23 *home”. I believe that Yossi Engel saved his life. It was because of Yossi’s friendship,*  
 24 *encouragement and support that made this rehab program successful.*

25 *Now this boy is a grown adult. He is very successful and a contributing member of society. He*  
 26 *holds a managerial position in a construction company and is thank G-d engaged to be*  
 27 *married. Now he is helping others the way Yossi helped him, providing emotional support to*



1 *troubled youth. The story of this young man is one of many. The many times I met Yossi since*  
 2 *then he was always very helpful and would always reminisce on how he enjoyed helping troubled*  
 3 *boys.*

#### 4 5 **V. Yossi's Offense**

6 In 2014, Yossi Katz, Yossi Engel's neighbor, started iWitness Tech, a company that  
 7 installed security cameras for various businesses. Yossi helped Mr. Katz so that Mr. Katz could  
 8 get the business off the ground. After some time, Mr. Katz decided to leave iWitness, so Yossi  
 9 took it over from him.

10  
 11 Unfortunately, as time went by, the business did not have enough work to provide a  
 12 revenue adequate for supporting Yossi's family, paying his debts, and supporting the many  
 13 charitable projects with which he was involved. By about 2017, Yossi thought that the only way  
 14 that he could succeed and be considered valuable was if he gave a lot to charity, but he did not  
 15 have the financial means to do so. As a result, Yossi began to engage in what was essentially a  
 16 Ponzi scheme, raising money through loans from individuals who thought that they were  
 17 investing in iWitness Tech or a real estate investment project. Dr. Romanoff describes Yossi's  
 18 motivation for his criminal activity, explaining that as the result of the intergenerational trauma  
 19 that he faced, Yossi was never able to fully integrate the two parts of his personality, his kind,  
 20 generous self with his needy, self-hating id. Dr. Romanoff writes:

21 *Mr. Yehuda Engel described how despite all of the difficulties his brother encountered, and all of*  
 22 *the ways that he behaved improperly, he also saw regular moments of virtuous behavior being*  
 23 *pursued by him. At one point he said, "His whole body is a heart, and if he sees someone with a*  
 24 *tough life he sits and cries, he'd do anything to help someone else, and he did that all the time,*  
 25 *he was always helping people."*

26 *At one point, discussing his offense related behavior Mr. [Yossi] Engel explained, "I always*  
 27 *knew something was wrong," and then turning his attention to the fraudulent manner in which*

1 *he obtained money from others said, “I didn’t attach importance to the money for the money,*  
 2 *power, or fame; the money was not to be rich, but to be able to handle everything thrown at me,*  
 3 *for myself and my family and for any needy person who needed my help.” I am aware there are*  
 4 *some examples of occasions when Mr. Engel indulged in unnecessary luxuries, though it is my*  
 5 *understanding that overall evidence supports a finding that the vast majority of the money he*  
 6 *stole was used to pay for his and his family’s basic life expenses, or was given away to others*  
 7 *viewed by him as needy or especially deserving of help [.... ]*

8 *[T]here was also another side of Mr. Engel that began to emerge during his adolescent years*  
 9 *[the time when Dr. Erickson believes identity formation is most actively unfolding] that*  
 10 *continued to impact his decision making and behavior right up through his arrest in this case.*  
 11 *At one point Mr. Engel described the kind of transition he sometimes experienced from his more*  
 12 *aspirational self to a more needy, selfish, and self hating self. For example, at one point he*  
 13 *described how after concluding the prayers for Yom Kippur, when he felt certain he would find*  
 14 *the strength to do better in the year to come, “I’d go home, and I’d go back to eating, and to*  
 15 *being an animal,” describing this as, “A very painful fall, a terrible fall.”*

16 *Speaking with his brother Yehuda, I asked about this pattern of duality in Mr. Engel. Mr.*  
 17 *Yehuda Engel immediately looked at me [via our Zoom connection], as if some light was going*  
 18 *off in his head and said, “Exactly, it’s like there’s two different people in him,” quickly adding,*  
 19 *“And all that money, for whom did he take it, where did it go, not to live like a king, he lived in*  
 20 *this small office, or in apartments, it was not to be a rich person, but to help all these people, he*  
 21 *was buying all these things for people, he was giving tzedakah [charity],” adding, “I’d tell him*  
 22 *you’re meshuganah [an idiot], you took all that money,” as he then finally said, “I think it was*  
 23 *to make him feel good, by doing good for others, he wanted to give these people what was*  
 24 *missing for him, I think he felt no one helped him, but he would help others.”*

## 25 **VI. Yossi’s Teshuvah: His Remorse and Transformation**

1 *Teshuvah* is often loosely translated as “repentance.” Its literal meaning, however, is  
 2 “return”: a “return” to one’s true self, to one’s moral core, to one’s obligations to God and the  
 3 social, civic, and legal commitments that a devoted relationship with God demands. In Judaism,  
 4 it is believed that every human being is born with a spark of the Divine Presence, from which  
 5 they become separated only by wrongful actions. Through taking responsibility for one’s  
 6 behavior, repentance, and reform, one can be reunited with one’s holy purpose, but only if one’s  
 7 intent is sincere.

8 Yossi has begun the process of *Teshuvah* and is committed to a true  
 9 transformation. Describing his view of his behavior, Yossi writes:

10  
 11 *I have wronged others and I am now paying for my actions. Some of my victims were extremely*  
 12 *close friends, in some cases closer than family to me, and I know that I have caused them to lose*  
 13 *trust in other human beings. By betraying the trust they had in me, I have made them rethink*  
 14 *probably every relationship they have or may encounter later on. Not a day goes by where I*  
 15 *don't painfully regret the loss of money and trust that I have caused them. I know they opened*  
 16 *their hearts and homes to me, in some cases making me a part of their families. I betrayed that*  
 17 *trust. I am also very aware of the pain and embarrassment I have caused the wider community.*  
 18 *Over the years, I worked with teens and young adults, helping them navigate their difficulties in*  
 19 *life. I can only imagine how hurt they must have been to hear about my terrible actions. They too*  
 20 *are victims of my behavior, and I am terribly ashamed of that as well.*

21 Yossi realizes that the fraud that he committed is antithetical to his true self. He  
 22 recognizes that what he did was wrong on a legal, societal and spiritual level. As a result,  
 23 starting right after his wrongdoing was exposed, he cooperated with his victims and began efforts  
 24 toward making them whole again. He has been completely upfront with his victims, providing  
 25 them with his bank records and other financial documents.

26 Rabbi Hershy Ten, President of the Jewish Healthcare Foundation, describes Yossi’s  
 27 efforts to come clean:

1 *In early 2021, Yossi's overwhelming sense of shame and sorrow at what he had done led him to*  
 2 *pursue a path of humility, openness, and contrition. After his wrongdoing was discovered in late*  
 3 *2020 or early 2021, and before he moved to Israel, we remained in contact over the course of*  
 4 *that troubling time. In every conversation with me and in meetings I attended with the persons he*  
 5 *had harmed, Yossi expressed shame and remorse for his misconduct and sought the means to*  
 6 *remedy the situation. This included giving those he had harmed many financial records for them*  
 7 *to review along with his explanation of where the money had gone. Likewise, upon Yossi's return*  
 8 *to Los Angeles earlier this year, he again reached out and shared that his goal was to seek a*  
 9 *resolution of his legal problems and ultimately, redemption. He told me he had come to speak*  
 10 *with counsel and begin the process of addressing the problems he faced.*

11 Realizing that mental health issues precipitated his offenses, Yossi has committed himself  
 12 to, and has begun engaging in, therapy. Yossi explains his plans for his rehabilitation:

13 *Regarding resolution for the future, I now know how important it is that I take the necessary*  
 14 *steps to ensure that I won't repeat my offense. While living in Israel over the last few years I had*  
 15 *already started therapy with the cooperation of my dear wife. While incarcerated I have met with*  
 16 *Dr. Romanoff several times, opening many painful wounds and have received from him*  
 17 *recommendations for the future to help ensure my rehabilitation and I fully intend to follow*  
 18 *through on his important recommendations. Upon returning to Israel, there are many programs*  
 19 *and institutions that can benefit me. I have known many people who have had great success with*  
 20 *a well-known and reputable institution by the name of "Retorno" which is actually located only*  
 21 *several minutes from our apartment and offers a variety of options that can benefit me greatly.*  
 22 *They have a strictly Kosher rehab facility based on Jewish values and many other inpatient and*  
 23 *outpatient programs as well. I know I need to seek all help available to me including therapy, 12*  
 24 *step programs and medication if necessary. There are people wiser than myself who will be able*  
 25 *to guide me and assist with my recovery and I intend to turn to them for guidance.*

## 26 **VII. October 7<sup>th</sup> and the Effect of Yossi's Absence on his Family**

1           Unable to face the shame and realizing that he no longer had any financial prospects there,  
 2 the family moved to Beit Shemesh, Israel in 2021 with the knowledge and acquiescence of  
 3 Yossi's victims.

4  
 5           On October 7, 2023, Hamas terrorists attacked many parts of Israel, murdering more than  
 6 1200 Israelis, including women, children and the elderly. They also kidnapped over 200  
 7 individuals, primarily Israelis. One of the places that was attacked was Kibbutz Be'eri, which is  
 8 not far from Beit Shemesh, where Gitty Engel and their daughters live. The attackers murdered  
 9 approximately 130 members of the kibbutz and burned down many of the homes. Gitty Engel  
 10 describes her family's reaction to the October 7 massacre:

11 *As I write this I am crying. I am crying because I am scared. My parents are far away from me*  
 12 *and I am all alone with my kids really scared. But I don't have time to think of myself at the*  
 13 *moment. I am busy fighting for my family. For my young children, for our safety. With the war on*  
 14 *in Israel, we are petrified for our lives. My kids are so scared as it is that their father is not here.*  
 15 *Now with every siren, we run to the shelter to make sure we are safe. We are so traumatized,*  
 16 *waking up in the middle of the night to sirens. 10/7/2023 is the day that the world is never going*  
 17 *to forget. It was Shabbos morning by us. At 6:30 am, we woke up to the first sirens, shocked and*  
 18 *scared. I grabbed the kids in the middle of their sleep and ran to a safe room. We were so scared*  
 19 *not knowing what's going on. My brother, who was hosting us, was called for military service, so*  
 20 *we knew it was really bad. Every few minutes sirens went on. If only Yossi would have been there*  
 21 *it would be different since Yossi is the one that could keep us all calm.*

22 *Since then the war is getting worse. We are so petrified. We are scared to open a window in the*  
 23 *house or even go buy bread from the store. I wish Yossi would have been with us at this time.*  
 24 *Those sleepless nights all alone. Waking up to sirens and again all alone grabbing little crying*  
 25 *kids and running for safety.*

## 26 **VIII. The Path Forward**

1 Having grown up without any real emotional support from his parents, Yossi had little to  
 2 no self-worth, often exhibiting depression. With the knowledge that his behavior harmed many  
 3 people and destroyed his relationships with the community, and his family, Yossi is deeply  
 4 remorseful and committed to doing his best to eradicate the issue at its core. To this end, he is  
 5 committed to engage in a 12-step program and intensive psychotherapy. Please consider the  
 6 following words of Gitty Engel when deciding how Yossi will spend the next years of his life:

7 *I am praying every day for Yossi's mental health recovery. I know that we have a long journey*  
 8 *ahead of us. He'll need tons of therapy to deal with his issues. But I'll be there for him.*

9 *Your Honor, please have compassion for myself and my daughters and let us have our family*  
 10 *back together. Yossi has been away for more than seven months. Seven months without seeing*  
 11 *him. Seven months with very limited talks. Seven months under hard conditions. We need him,*  
 12 *particularly now with the war going on.*

13 *I pray that the Court judges my husband, and our home, with compassion and faith in his true*  
 14 *potential. I thank Your Honor with the humblest heart for reading my words.*

### 15 CONCLUSION

16 As he must, Defendant now faces punishment for his wrongful acts. He cannot escape the  
 17 consequences of his misdeeds. Defendant has accepted responsibility for his actions and awaits  
 18 his fate.

19 Of course, the punishment should fit the offense and the offender, and should not be  
 20 greater than what is reasonably necessary to accomplish the objectives of the criminal justice  
 21 system. Defendant's crimes were serious and caused great harm. Yet he remains someone who,  
 22 having recognized the harm he caused and accepted responsibility for it, has much to offer to his  
 23 community and society. This is reflected in the many letters of support from his family, faith  
 24 leaders and those upon whom he has had a positive impact during his life.

25 We submit that, while Defendant is deserving of punishment beyond the over nine months  
 26 he will have spent in custody, it should not exceed what is reasonably necessary to deter him and  
 27 others from similar conduct, while at the same time preserving his ability to once again become a

1 useful, productive and honorable member of society. As recommended by Dr. Romanoff and  
2 others, Defendant would benefit from continued therapy and counseling to overcome his  
3 compulsions and to guide him on a better path, following a reasonable and appropriate period of  
4 time in custody.

5 We respectfully recommend that Defendant be sentenced to the custody of the Attorney  
6 General for a period of 24 months, with a recommendation he be placed in the RDAP while in  
7 prison, to be followed by a one-year term of supervised release, on the condition that he continue  
8 appropriate therapy to address his addictions to alcohol and gambling and perform 1000 hours of  
9 community service at the direction of the US Probation Office.

10 DATED: December 1, 2023

Respectfully submitted,  
JAN LAWRENCE HANDZLIK, APC

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12 By: \_\_\_\_\_/s/\_\_\_\_\_  
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